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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,439	06/26/2001	Mark Landesmann	084561-0108	9934
22428 7590 08/11/2008 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			EXAMINER  LE, KHANH H	
			ART UNIT 3688	PAPER NUMBER
			MAIL DATE 08/11/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09888439	6/26/01	LANDESMANN, MARK	084561-0108

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## EXAMINER

KHANH H.. LE

ART UNIT	PAPER
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3688 20080806

DATE MAILED:

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## Commissioner for Patents

Please be advised of the following:

1) the Reply Brief of 06/16/2008 is noted and forwarded for appeals.

2) The following are to be added to the revised Examiner Answer mailed 04/16/2008:

On page 3, insert after the "Summary of Claimed Subject Matter" paragraph, the following:

"(6) Grounds of Rejection to be Reviewed on Appeal

Claims 1, 10-13, 47-49, 51-52, 64-65, 94, 100-103, 137-139, 141-142, 154-155, and 204, 207-230, 232-238, 246, 250; 255, 259-282, 284-290, 298, 302; 308-331, 333-339, 347, and 351 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldhaber, US 5855008, hereinafter Goldhaber, in view of Weinblatt, US 5515270, hereinafter Weinblatt, and further in view of Day, US 6484146, hereinafter Day.

Claims 68 and 158 are rejected under 35 USC 103(a) as being unpatentable over Goldhaber, in view of Weinblatt, and further in view of Day, and further in view of Dedrick, US 5717923, herein Dedrick.

Claims 206, 231, 252-254, 256-258, 283, 304-306, 307, 308-310, 332, 353-355, 356, 357-359 are rejected under 35 USC 103(a) as being unpatentable over Goldhaber, US 5,855,008, in view of Weinblatt, and further in view of Day, and further in view of admitted prior art.

Other than for the above underlined claims, which were added to correct typographical errors as noted on 04/16/08, the appellant's statement of the grounds of rejection to be reviewed on appeal ( as filed in the Appeals Brief of 04/20/2006) is correct. ( The Examiner does not agree that her discussion of "system" constitutes a new ground of rejection as Appellant argues in the Reply Brief of 06/16/08)

3) IDS of 03/18/08 and 07/14/08 have been considered.

/Khanh Le/  
Patent Examiner, Art Unit 3688  
8/6/2008

James W Myhre/  
Supervisory Patent Examiner, Art Unit 3688